



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

AMERICAN NATIONAL PROPERTY AND	)	
CASUALTY COMPANY,	)	
	)	Civil Action No. 3:08-cv-00604
Plaintiff,	)	
	)	Judge Trauger
v.	)	Magistrate Judge Bryant
	)	
CAMPBELL INSURANCE, INC., et al.,	)	JURY DEMAND
	)	
Defendants.	)	

**PLAINTIFF'S MOTION TO STRIKE**

American National Property and Casualty Company (“American National”) respectfully moves the Court pursuant to Fed. R. Civ. P. 12(f) to strike the portion of the “Response of Campbell Defendants to Plaintiff’s Motion for Reconsideration” (Docket Nos. 507-509, 511) addressing the breach of contract claim against Colleen Campbell on the grounds that it relies upon two declarations that impermissibly contradict prior sworn admissions of Tommy Campbell and Colleen Campbell.

In response to American National’s demand that they strike from their Response (Docket No. 507 at 1-2, n. 2) the inappropriate disclosures (and misrepresentations) of settlement discussions had between counsel for the parties, which were in contravention of LR 16.08(a), Fed. R. Evid. 408 and Goodyear Tire & Rubber Co. v. Chiles Power Supply, Inc., 332 F.3d 976, 980 (6th Cir. 2003), the Campbell Defendants have filed a Motion to Strike (Docket No. 510) and a revised Response (Docket No. 511). However, the Campbell Defendants have not, as American National requested, advised the Court that American National disputes the Campbell Defendants’ characterization of such discussions. Accordingly, American National also addresses this issue in its supporting memorandum of law.